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ENVIRONMENT AND SUSTAINABLE DEVELOPMENT: ELABORATION OF AN INTERNATIONAL CONVENTION TO COMBAT DESERTIFICATION IN THOSE COUNTRIES EXPERIENCING SERIOUS DROUGHT AND/OR DESERTIFICATION, PARTICULARLY AFRICA

Report of the Second Committee (Part V)*

Rapporteur: Mr. Ahmed Yousif MOHAMED (Sudan)

I. INTRODUCTION

1. The Second Committee held a substantive debate on item 89 (see A/49/729, para. 3). Action to be taken on sub-item (d) was considered at the 22nd and 32nd meetings, on 10 November and 7 December 1994. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/49/SR.22 and 32).

II. CONSIDERATION OF DRAFT RESOLUTIONS A/C.2/49/L.13 AND L.30

2. At the 22nd meeting, on 10 November, the representative of Algeria, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Elaboration of an international convention to combat desertification in those countries experiencing serious drought and/or desertification, particularly in Africa" (A/C.2.49/L.13), which read:

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* The report of the Committee on this item will be issued in several parts, under the symbol A/49/729 and addenda.

"The General Assembly,

"Recalling its resolutions 44/172 of 19 December 1989, 44/228 of 22 December 1989 and other relevant General Assembly resolutions and decisions, and the recommendations made in Agenda 21, 1/ adopted by the United Nations Conference on Environment and Development,

"Recalling also its resolution 47/188 of 22 December 1992, by which it established the Intergovernmental Negotiating Committee for the Elaboration of an International Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, with a view to finalizing such a convention by June 1994,

"Recalling further its resolution 48/191 of 21 December 1993, by which it urged the Intergovernmental Negotiating Committee to complete its negotiations by June 1994,

"Noting that, in the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, 2/ adopted in Paris, on 17 June 1994, article 35 provides that secretariat functions will be carried out on an interim basis by the secretariat established by the General Assembly in its resolution 47/188 until the completion of the first session of the Conference of the Parties; and also noting that in paragraph 4 of its resolution 5/2, the Intergovernmental Negotiating Committee requested the Secretary-General to make proposals enabling the secretariat established pursuant to General Assembly resolution 47/188 to continue its activities on an interim basis, until the permanent secretariat of the Convention is designated by the Conference of the Parties, 3/

"Acknowledging with appreciation the support provided for the operation of the secretariat during 1994 by the United Nations Development Programme/United Nations Sahelian Office, the United Nations Environment Programme, the United Nations Capital Development Fund, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the World Meteorological Organization, the United Nations Conference on Trade and Development, the United Nations regional commissions, and bilateral contributors,

"Having considered the report of the Secretary-General on the implementation of resolution 48/191 and on possible requirements for

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1/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex II.

2/ See A/49/84/Add.2, annex, appendix II.

3/ Ibid., appendix III.

intergovernmental and secretariat work on the implementation of the Convention and its regional annexes, 4/ and having also considered resolution 5/1 of the Intergovernmental Negotiating Committee on urgent action for Africa, 5/ in the period up to and including the first session of the Conference of the Parties to the Convention,

"Considering the Convention one of the main steps in the follow-up to the United Nations Conference on Environment and Development,

"1. Welcomes the adoption, on 17 June 1994, of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, by the Intergovernmental Negotiating Committee and welcomes further the signing of the Convention in Paris on 14-15 October 1994 by a large number of States and one regional economic integration organization;

"2. Urges States that have not yet signed the Convention to do so during the present session of the General Assembly and no later than 13 October 1995, in conformity with article 33 of the Convention, and urges countries and organizations that have signed the Convention to proceed to its ratification so that it may enter into force as soon as possible;

"3. Invites signatories of the Convention, in addition to the information provided at the time of signature, to continue to communicate to the interim secretariat of the Convention information on actions undertaken or envisaged for the implementation of the provisions of resolution 5/1 of the Intergovernmental Negotiating Committee on urgent action for Africa; 5/

"4. Decides that the Intergovernmental Negotiating Committee shall continue to function in order:

"(a) To prepare for the first session of the Conference of the Parties to the Convention, as specified in the Convention;

"(b) To facilitate and review progress being made in the implementation of the provisions of the resolution on urgent action for Africa;

"(c) To initiate measures relating to the identification of an organization to house the global mechanism for the mobilization and channelling of financial resources, including its operational modalities;

"(d) To elaborate the rules of procedure of the Conference of Parties;

"(e) To consider all other issues, including the implementation of the Convention and its regional annexes;

4/ A/49/477.

5/ A/49/84/Add.2, annex, appendix III.

"5. Decides also, for this purpose, to hold, in addition to a sixth session of the Intergovernmental Negotiating Committee, to be held in New York from 9 to 20 January 1995, a two-week session in Nairobi, from 7 to 18 August 1995, and to hold two further sessions in 1996 and one in 1997, the venue and timing of which shall be determined by the Intergovernmental Negotiating Committee;

"6. Invites the Intergovernmental Negotiating Committee, in this regard, to adopt and implement expeditiously a plan of work for the period leading to the first meeting of the Conference of the Parties and requests the Secretary-General to make arrangements within the overall calendar of conferences for the Committee to hold the forthcoming sessions;

"7. Requests all countries, the United Nations system, including the regional commissions, relevant subregional and regional organizations and appropriate scientific and business communities, trade unions, relevant non-governmental organizations and other interested groups to take action for the prompt implementation of the Convention and its relevant regional annexes upon its entry into force and in this regard to respond effectively to the needs of the developing regions - namely Africa, Asia, Latin America and the Caribbean;

"8. Urges all countries, the United Nations system, including the regional commissions, relevant subregional and regional organizations and all other relevant actors to take actions and measures for the full and effective implementation of the provisions of Intergovernmental Negotiating Committee resolution 5/1 on urgent action for Africa; 5/

"9. Decides that the work of the Committee and the interim secretariat shall continue to be funded through existing United Nations budgetary resources, without negatively affecting its programmed activities, and through voluntary contributions to the trust fund established, pursuant to its resolution 47/188, specifically for that purpose and administered by the head of the interim secretariat under the authority of the Secretary-General, with the possibility of using the fund, as appropriate, to support the participation of representatives of non-governmental organizations in the work of the Committee and of carrying over resources contributed from one fiscal year to the other;

"10. Notes the arrangements made by the Secretary-General and the contributions of the United Nations Development Programme, including the United Nations Sahelian Office, the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the United Nations Conference on Trade and Development, the United Nations Educational, Scientific and Cultural Organization, the World Meteorological Organization, and other relevant international organizations active in the fields of desertification, drought and development to the work of the Intergovernmental Negotiating Committee in the conduct of its mandate, and invites them to intensify and expand such support in the future;

"11. Welcomes the decision of the Administrator of the United Nations Development Programme, following the adoption of the Convention, and in conformity with the provision of chapter 38, paragraph 27, of Agenda 21, 1/ that the Programme will support the implementation of the Convention world wide, with particular attention to Africa; and requests the Programme and the Sahelian Office to mobilize additional financial resources so as to be able to play that role more effectively;

"12. Notes with appreciation the contributions made thus far to the trust fund, and invites Governments, regional economic integration organizations and other interested organizations to continue to make voluntary contributions to the fund to support the interim secretariat of the Intergovernmental Negotiating Committee and the work of the Committee;

"13. Notes with appreciation the contributions made to the special voluntary fund established pursuant to its resolution 47/188 to assist developing countries affected by desertification and drought, in particular the least developed countries, to participate fully and effectively in the negotiating process, and invites Governments, regional economic integration organizations and other interested organizations to continue to contribute generously to the fund so as to allow those countries to participate fully and effectively in the work of the Committee;

"14. Requests the Chairman of the Intergovernmental Negotiating Committee to submit progress reports on its work to the General Assembly, the Commission on Sustainable Development and other appropriate bodies of the United Nations;

"15. Requests also the Secretary-General to bring the present resolution to the attention of all Governments, relevant specialized agencies and programmes of the United Nations, international financial institutions, other intergovernmental and non-governmental organizations, and other relevant institutions;

"16. Requests further the Secretary-General to submit to the General Assembly at its fiftieth session a report on the implementation of the present resolution;

"17. Decides to include in the provisional agenda of its fiftieth session a sub-item entitled 'United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa' under the agenda item entitled 'Implementation of decisions and recommendations of the United Nations Conference on Environment and Development'."

3. At the 32nd meeting, on 7 December, the Vice-Chairman of the Committee, Mr. Arjan P. Hamburger (Netherlands), introduced a draft resolution (A/C.2/49/L.30), which he submitted on the basis of informal consultations held on draft resolution A/C.2/49/L.13.

4. The Committee had before it a statement of the programme budget implications of draft resolution A/C.2/49/L.30, submitted by the

Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.2/49/L.54).

5. At the same meeting, the Committee adopted draft resolution A/C.2/49/L.30 without a vote (see para. 8).

6. After the adoption of the draft resolution, statements were made by the representatives of the Philippines, Algeria (on behalf of the States Members of the United Nations that are members of the Group of 77 and China) and Benin (see A/C.2/49/SR.32).

7. In the light of the adoption of draft resolution A/C.2/49/L.30, draft resolution A/C.2/49/L.13 was withdrawn by its sponsors.

III. RECOMMENDATION OF THE SECOND COMMITTEE

8. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Elaboration of an international convention to combat desertification in those countries experiencing serious drought and/or desertification, particularly in Africa

The General Assembly,

Recalling its resolutions 44/172 of 19 December 1989, 44/228 of 22 December 1989 and other relevant General Assembly resolutions and decisions, and the recommendations made in Agenda 21, 6/ adopted by the United Nations Conference on Environment and Development,

Recalling also its resolution 47/188 of 22 December 1992, by which it established the Intergovernmental Negotiating Committee for the Elaboration of an International Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, with a view to finalizing such a convention by June 1994,

Recalling further its resolution 48/191 of 21 December 1993, by which it urged the Intergovernmental Negotiating Committee to complete its negotiations by June 1994,

Noting that, in the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification,

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6/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex II.

Particularly in Africa, 7/ adopted in Paris on 17 June 1994, article 35 provides that secretariat functions will be carried out on an interim basis by the secretariat established by the General Assembly in its resolution 47/188 until the completion of the first session of the Conference of the Parties; and also noting that, in paragraph 4 of its resolution 5/2, the Intergovernmental Negotiating Committee requested the Secretary-General to make proposals enabling the secretariat established pursuant to General Assembly resolution 47/188 to continue its activities on an interim basis, until the permanent secretariat of the Convention is designated by the Conference of the Parties, 8/

Acknowledging with appreciation the support provided for the operation of the secretariat during 1994 by the United Nations Development Programme, including the United Nations Sahelian Office, the United Nations Environment Programme, the United Nations Capital Development Fund, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the World Meteorological Organization, the United Nations Conference on Trade and Development, the regional commissions and bilateral contributors,

Having considered the report of the Secretary-General concerning the implementation of resolution 48/191 and possible requirements for intergovernmental and secretariat work on the implementation of the Convention and its regional annexes, 9/ and having also considered Intergovernmental Negotiating Committee resolution 5/1 concerning urgent action for Africa, in the period up to and including the first session of the Conference of the Parties to the Convention, 10/

Considering the Convention one of the main steps in the follow-up to the United Nations Conference on Environment and Development,

1. Welcomes the adoption, on 17 June 1994, of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, by the Intergovernmental Negotiating Committee, and welcomes further the signing of the Convention in Paris on 14 and 15 October 1994 by a large number of States and one regional economic integration organization;

2. Urges States that have not yet signed the Convention to do so during the present session of the General Assembly and no later than 13 October 1995, in conformity with article 33 of the Convention, and urges States and organizations that have signed the Convention to proceed to its ratification so that it may enter into force as soon as possible;

7/ See A/49/84/Add.2, annex, appendix II.

8/ Ibid., appendix III.

9/ A/49/477.

10/ See A/49/84/Add.2, annex, appendix III.

3. Invites signatories of the Convention, in addition to the information provided at the time of signature, to continue to communicate to the interim secretariat of the Convention information on actions taken or envisaged for the implementation of the provisions of Intergovernmental Negotiating Committee resolution 5/1 on urgent action for Africa; 10/

4. Decides that the Intergovernmental Negotiating Committee shall continue to function in order:

(a) To prepare for the first session of the Conference of the Parties to the Convention, as specified in the Convention;

(b) To facilitate the implementation of the provisions of Committee resolution 5/1 on urgent action for Africa, through the exchange of information and the review of progress made thereon;

(c) To initiate measures relating to the identification of an organization to house the global mechanism to promote actions leading to the mobilization and channelling of substantial financial resources, including its operational modalities;

(d) To elaborate the rules of procedure of the Conference of the Parties;

(e) To consider other relevant issues, including measures to ensure the implementation of the Convention and its regional annexes;

5. Decides also, for this purpose, to convene, in addition to the sixth session of the Intergovernmental Negotiating Committee, which is to be held in New York for up to two weeks from 9 January 1995, a two-week session in Nairobi, from 7 to 18 August 1995, and, pending the entry into force of the Convention, to convene further necessary sessions in 1996 and 1997, the venue and timing of which shall be recommended by the Committee;

6. Invites the Intergovernmental Negotiating Committee, in this regard, to adopt and implement expeditiously a plan of work for the period leading to the first session of the Conference of the Parties and requests the Secretary-General to make arrangements within the overall calendar of conferences for the Committee to hold its forthcoming sessions;

7. Requests all States, the United Nations system, including the regional commissions, relevant subregional and regional organizations and appropriate scientific and business communities, trade unions, relevant non-governmental organizations and other interested groups to take action for the prompt implementation of the Convention and its relevant regional annexes upon its entry into force and in this regard to respond effectively to the needs in the African, Asian and Latin American and Caribbean regions;

8. Urges all States, the United Nations system, including the regional commissions, relevant subregional and regional organizations and all other relevant actors to take actions and measures for the full and effective implementation of the provisions of Intergovernmental Negotiating Committee resolution 5/1 on urgent action for Africa; 10/

9. Decides that the work of the Committee and the interim secretariat shall continue to be funded through existing United Nations budgetary resources, without negatively affecting its programmed activities, and through voluntary contributions to the trust fund established, pursuant to its resolution 47/188, specifically for that purpose and administered by the head of the interim secretariat under the authority of the Secretary-General, with the possibility of using the fund, as appropriate, to support the participation of representatives of non-governmental organizations in the work of the Committee and of carrying over resources contributed from one fiscal year to the other;

10. Notes the arrangements made by the Secretary-General and the contributions of the United Nations Development Programme, including the United Nations Sahelian Office, the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development, the United Nations Conference on Trade and Development, the United Nations Educational, Scientific and Cultural Organization, the World Meteorological Organization, the World Bank and other relevant international organizations active in the fields of desertification, drought and development to the work of the Intergovernmental Negotiating Committee in pursuance of its mandate, and invites them to intensify and expand such support in the future;

11. Welcomes the proposal of the Administrator of the United Nations Development Programme, following the adoption of the Convention, and in conformity with the provisions of paragraph 38.27 of Agenda 21, 6/ that the Programme support the implementation of the Convention world wide, with particular attention to Africa, and invites the Programme and the United Nations Sahelian Office to seek the necessary financial resources and other forms of support to be able to play that role more effectively;

12. Notes with appreciation the contributions made thus far to the trust fund, and invites Governments, regional economic integration organizations and other interested organizations to continue to make voluntary contributions to the fund to support the interim secretariat of the Intergovernmental Negotiating Committee and the work of the Committee;

13. Also notes with appreciation the contributions made to the special voluntary fund established pursuant to its resolution 47/188 to assist developing countries affected by desertification and drought, in particular the least developed countries, to participate fully and effectively in the negotiating process, and invites Governments, regional economic integration organizations and other interested organizations to continue to contribute generously to the fund so as to allow those countries to participate fully and effectively in the work of the Committee;

14. Requests the Chairman of the Intergovernmental Negotiating Committee to submit progress reports on the Committee's work to the General Assembly, the Commission on Sustainable Development and other appropriate bodies of the United Nations;

15. Requests the Secretary-General to bring the present resolution to the attention of all Governments, relevant specialized agencies and programmes of the United Nations, international financial institutions other intergovernmental and non-governmental organizations and other relevant institutions;

16. Also requests the Secretary-General to submit to the General Assembly at its fiftieth session a report on the implementation of the present resolution, on the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, under the agenda item entitled "Implementation of decisions and recommendations of the United Nations Conference on Environment and Development".